

Dear Editor,

November 25, 2008

I wanted to talk about the building in the Floodplains of the Bitterroot River in Ravalli County. Prior to our general election this month, a reader described how our access to flood insurance would be repealed with the growth policy. As correct as this contributor was regarding flood insurance, floodplains, and the benefits we receive as a member community, the protections are still in tact due to having a state, county, and most likely a city mitigation plan. A mitigation plan protects the designated floodplain from building, so when regular flood events occur, loss of property and life is reduced.

A problem we are facing in Ravalli County is that city and county environmental health departments are issuing permits to whoever comes in the door with money. The arguments these landowners have is that they have the right to build due to having permits. This is clearly showing the problems we all know are occurring within our local government units.

Mr. Roback of the West Fork, and Mr. Fox on the main branch of the Bitterroot River both own properties which would be classified as being in the floodplain. Here is why: if any portion of a property lies below the established floodplain elevation, the entire property is considered in the floodplain for insurance purposes. Building is allowed on a property as long as it is above what is known as the base flood elevation or BFE. I know this due to being a former officer in the Mitigation Division for FEMA, who administers the National Floodplain Insurance Program (NFIP). Floodplain Maps can be found online; they include base elevations, or elevations of the water within the floodplain. Any enclosed floor in Ravalli County needs to be 2 feet above this base elevation; they can be found at www.mapcenter.fema.gov. There are maps for Ravalli County, or anywhere else in the US at that site.

In an article about Roback, whose case is currently in District (or state) court in Hamilton, the article describes our County Attorney, George Corn as the hero to this situation; he is not. It was the tens of residents who brought this information to the county floodplain administrator for review. The article further quoted Angela Wetzstone, also of the RCAO, who graduated from UM Law last year as an expert on floodplain issues; again, she is not. The county attorney office is a facilitator for the public, and the laws are national, created in US congress in the mid sixties.

The real message is this: where the city and county governments fail, the floodplain personnel, county, state, and federal are doing their jobs well. The city had no business issuing permits to Mr. Fox whose property sits adjacent to the West Main St. Bridge on the south side. Regardless of the outcome of the district court case, or the findings (to be determined) for Mr. Fox and Mr. Roback, these landowners unknowingly have put our community in danger of losing our status as a protected community for flood events, and protective flood insurance.

FEMA is an emergency financing entity that provides very basic, and as most flood victims attest: non-sufficient repair monies at times of disaster. Without flood insurance, the majority of repairs are on the owner. The US SBA (Small Business Administration) offers low interest loans to disaster victims, so being a member community with an approved mitigation plan to provide flood insurance and disaster

assistance is critical. After working several flood disasters, and seeing the bottom line of the federal and state share of the expenses, neither Mr. Fox nor Mr. Roback could come up with this sum for their decisions to build in a floodplain. These decisions which some are confusing as "property rights" would exclude us as a member community by building in a designated 100 yr. floodplain (or Zone A or AE). While I believe in property rights, I also believe in a community's choice to have an approved mitigation plan (which protects the 100 yr. floodplain from building) and thereby gain federal protections to property and life via flood insurance and disaster assistance.

After seeing a photograph of the Roback property, and observing the Fox construction, these buildings will eventually be underwater, no matter what type of external mitigation, if any is erected. Water finds its bottom, and the return interval in 2005 estimates for a 100 yr. event is now 27 years. Since our last major event was reportedly in the 1970's (when the Bitterroot River topped West Main St.) we are due for historic flooding within 5 years, or at the outset 25 years. Within one generation, Mr. Roback's house, and Mr. Fox's construction project at riverbank level are both within 100 yards of the natural channel will be inundated. The next question is: what will be the impact of the septic, and the structure itself when it will be destroyed? Let's hope Mr. Fox and Mr. Roback will consider demolishing their projects for the betterment of the community. As an example, the only allowed structure in a floodplain is a non-residential pavilion, or a hay barn type structure with no septic capabilities.

Unfortunately, these forays into the floodplain are examples of a county government who has problems communicating between departments. We lack the leadership of a county commission who refuse to hire a county planning director since June of this year. We have a county attorney who wishes to get the positive spin of helping the community, when in fact he has hurt it, and developed its reputation in the state that we now are labeled with. The real heroes are the state flood administrator, who has opened up investigations into these building situations, and once again, a county flood administrator, a true professional we are lucky to have working for us in Ravalli County.

We all love the river, and enjoy playing on it. If you have a million dollars to build a home on the river, hire a competent engineer or geologist to give you good advice on safe and legal building sites on your property. The days should be gone where money and property rights will get you what you want. Less land is available for building, lets not jeopardize our protections like flood insurance and disaster relief to our community because we have wealthy individuals who have no idea what they are jeopardizing by building their dream homes within the floodplain. This is a community education issue, not a judicial one, or an individual one.

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Body is 1082 words